

BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)

DONALD D. MEYER, M.D.)
68 Kimberly Court)
Napa, CA 94558)
Physician's and Surgeon's)
Certificate No. C-8510,)

Respondent.)

NO. D-2529

DECISION

The attached Surrender of Certificate of Licensure Pursuant to Stipulation is hereby adopted by the Division of Medical Quality of the Board of Medical Quality Assurance as its Decision in the above-entitled matter.

This Decision shall become effective on September 15, 1981.

IT IS SO ORDERED September 15, 1981.

DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE



MILLER MEDEARIS

Secretary-Treasurer

1 GEORGE DEUKMEJIAN, Attorney General
of the State of California
2 SUZI TANGUAY
Deputy Attorney General
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4 San Francisco, California 94102
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6 Attorneys for the Board of
Medical Quality Assurance

7 BEFORE THE DIVISION OF MEDICAL QUALITY
8 BOARD OF MEDICAL QUALITY ASSURANCE
9 STATE OF CALIFORNIA

10 In the Matter of the Accusation)
Against:) NO. D -2529
11)
12)
12 DONALD D. MEYER, M.D.)
68 Kimberly Court)
13 Napa, California 94558) SURRENDER OF CERTIFICATE
Certificate No. C-8510) OF LICENSURE PURSUANT TO
14) STIPULATION
Respondent.)
15)
16)

17 IT IS HEREBY STIPULATED AND AGREED by and between
18 Donald D. Meyer, M.D., (hereinafter "respondent") by and through
19 his attorney Philip E. Callis, and the Board of Medical Quality
20 Assurance, Division of Medical Quality, State of California, by and
21 through its attorney, George Deukmejian, Attorney General of the
22 State of California, by Suzi Tanguay, Deputy Attorney General, as
23 follows:

24 1. That respondent has received and read the accusation
25 which is presently on file and pending in case number D-2529 before
26 the Board of Medical Quality Assurance of the State of California.

27 / /

1 2. That respondent understands the nature of the charges
2 in accusation number D-2529 as alleging grounds constituting
3 cause for disciplinary action.

4 3. That respondent is fully aware of his right to a
5 hearing on the charges and allegations contained in said accusa-
6 tion number D-2529, his right to reconsideration, to appeal and
7 to any and all other rights which may be accorded him pursuant to
8 the California Administrative Procedure Act and the Code of Civil
9 Procedure, and that he hereby fully and voluntarily waives his
10 right to a hearing, to reconsideration, to appeal and to any and
11 all other rights which may be accorded him by the California
12 Administrative Procedure Act and the Code of Civil Procedure with
13 regard to said accusation number D-2529.

14 4. That Robert Rowland, complainant in the case, as
15 Executive Director of the Board of Medical Quality Assurance of
16 the State of California, made and filed the accusation solely in
17 his official capacity. That the respondent's license history and
18 status as set forth at paragraphs 2, 3 and 4 of said accusation
19 is true and correct.

20 5. That respondent desires to surrender his certificate
21 of licensure number C-8510 to the Board of Medical Quality
22 Assurance for its formal acceptance.

23 6. That in consideration of the dismissal of said
24 accusation number D-2529, respondent will not seek renewal or
25 reinstatement of his certificate to practice medicine.

26 7. That in consideration of the surrender of certificate
27 number C-8510 and respondent's representation that he will not

1 seek renewal or reinstatement of said certificate, accusation
2 number D-2529 is hereby dismissed and notification of respondent's
3 surrender of his certificate of licensure pursuant to stipulation
4 will not appear in the Board of Medical Quality Assurance Action
5 Report.

6 8. That based on the foregoing recitals, IT IS HEREBY
7 STIPULATED AND AGREED that the Division of Medical Quality may
8 issue the following order:

9 The surrender of certificate number C-8510 by respondent
10 is hereby accepted, and accusation number D-2529 is hereby dismissed.


11
12 DATED: August 28, 1981


SUZI TANGUAY
Attorney for Complainant

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15 DATED: August 20, 1981


PHILIP E. CALLIS
Attorney for Respondent

16
17
18 I hereby certify that I have read this stipulation and
19 agreement in its entirety, that my attorney of record has fully
20 explained the legal significance and consequences thereof, that I
21 fully understand all of same, and in witness thereof I affix my
22 signature this 20th day of August, 1981, at
23 Oakland, California.

24
25 
DONALD D. MEYER, M.D.
26 Respondent
27

1 GEORGE DEUKMEJIAN
Attorney General
2 KAREN E. SCHOLER
Deputy Attorney General
3 6000 State Building
San Francisco, CA 94102
4 TEL: (415) 557-2879

5 Attorneys for Complainant

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11 In the Matter of the)	
Accusation against:)	NO. D-2529
12)	
DONALD D. MEYER, M.D.)	<u>ACCUSATION</u>
13 68 Kimberly Court)	
Napa, California)	
14 Cert. No. C-8510,)	
15)	
Respondent.)	
16)	
17)	

18 ROBERT ROWLAND, complainant herein, charges and alleges
19 as follows:

20 1. He is the Executive Director of the Board of
21 Medical Quality Assurance of the State of California (hereinafter
22 referred to as the "Board"), and makes these charges and allega-
23 tions in his official capacity and not otherwise. All statutory
24 references are to the California Business and Professions Code
25 unless otherwise indicated.

26 2. At all times material herein respondent Donald M. Meyer,
27 M.D. has held physician's and surgeon's certificate C-8510 issued

1 by the Board on February 4, 1946. Said certificate is presently
2 in good standing.

3 3. On or about July 16, 1964, the Board rendered a deci-
4 sion in the matter entitled "In the Matter of the Accusation
5 against Donald Duncan Meyer, M.D., respondent, Case No. D-742."
6 By said decision, the Board revoked respondent's certificate
7 No. C-8510, effective August 17, 1964. A copy of that decision
8 of the Board is attached hereto as Exhibit "A" and incorporated
9 herein as though set forth at length.

10 4. On or about July 5, 1966, the Board rendered its
11 decision in the matter entitled "In the Matter of the Petition for
12 Restoration of Revoked Certificate of Donald Duncan Meyer, M.D.,
13 Respondent, Case No.OSF-5111." Pursuant to said decision, the
14 Board restored respondent's Certificate effective July 5, 1966,
15 subject to certain terms and conditions, including a probationary
16 period of five (5) years. A copy of said decision is attached
17 hereto as Exhibit "B" and incorporated herein as though set forth
18 at length.

19 5. Sections 2360 and 2361 provide, in part, that the
20 Board shall take disciplinary action against holders of certificates
21 for unprofessional conduct. Unprofessional conduct is defined
22 therein to include violating or attempting to violate, directly
23 or indirectly, any provision or term of the Medical Practice Act
24 (Business and Professions Code section 2000, et seq.).
25 Section 2361(e) states that the commission of any act involving
26 dishonesty or corruption is unprofessional conduct. Section 2411
27 states that knowingly making or signing any certificate or other

1 document directly or indirectly related to the practice of
2 medicine which falsely represents the existence or non-
3 existence of a state of facts constitutes unprofessional conduct.
4 Section 2428.5 states, in pertinent part, that any person
5 holding a physician's and surgeon's certificate who alters or
6 modifies the medical record of any person with fraudulent intent
7 is subject to disciplinary action by the Division of Medical
8 Quality.

9 6. The conduct of respondent as alleged below was,
10 at all times material herein, carried out by him while in the
11 employ of Napa State Hospital, Imola, California, and while in
12 his capacity as a Ward Physician responsible for Wards Q-9 and
13 Q-10.

14 7. During the years 1975 through and including November
15 1977, respondent was responsible for insuring that all patients
16 on Wards Q-9 and Q-10 of Napa State Hospital were given annual
17 physician reevaluations, including physical examinations.
18 Respondent did fail to perform said annual reevaluations,
19 knowingly made false statements on physical examination forms,
20 and altered medical records with fraudulent intent for a number
21 of patients, the exact number of which is unknown to complainant
22 at this time, but includes the following:

23 (a) C.H. No. 149752-8: date on physical examination
24 changed from 1976 to 1977; age changed from 59 to 60; addi-
25 tional notations made on prior physical examination form.

26 (b) R.L. No. 113310-7: date on physical examination
27 form altered from 1974 to 1975; weight altered; patient's age
incorrect.

1 (c) T.M. No. 153628-3: date of 1975 added to physical
2 examination form; age incorrect.

3 (d) C.R. No. 168335-8: date of physical examination
4 changed from 1976 to 1977; additions made to physical examination
5 form at a later date; age incorrect; weight altered.


6 8. The conduct of respondent as alleged in paragraph 7
7 and 7 (a) through (d) is unprofessional conduct in violation of
8 section 2361(e) (dishonesty) and thereby constitutes grounds for
9 disciplinary action pursuant to section 2360.

10 9. The conduct of respondent as alleged above in
11 paragraph 7 and 7(a) through (d) is unprofessional conduct in
12 violation of section 2411 (false statements), and thereby con-
13 stitutes grounds for disciplinary action against respondent
14 pursuant to section 2360.

15 10. The conduct of respondent as alleged above in
16 paragraph 7 and 7(a) through (d) is unprofessional conduct in
17 violation of section 2428.5, and thereby constitutes grounds
18 for disciplinary action against respondent pursuant to section
19 2360.

20 WHEREFORE, complainant prays that a hearing be held
21 on the matters alleged herein and that thereafter the Board
22 suspend or revoke respondent's certificate C-8510, or take such
23 other and further action as is deemed necessary and proper.

24 Dated: April 1, 1980

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26 _____
27 ROBERT ROWLAND
Executive Director, Board of
Medical Quality Assurance